

Title 31
ELECTIONS
Part I. Election Process

Chapter 1. Determination of Polling Place Accessibility for the Elderly and Handicapped

§101. Purpose

A. The purpose is to establish minimum guidelines to be used in determining whether facilities used as polling places in all elections are accessible to handicapped and elderly voters pursuant to the federal "Voting Accessibility for the Elderly and Handicapped Act," Public Law 98-435.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:1371.

HISTORICAL NOTE: Promulgated by the Department of Elections and Registration, Commissioner of Elections, LR 12:225 (April 1986).

§103. Definitions

A. For the purpose of this rule, the following definitions shall apply.

Accessible-the combination of the various elements of the built environment as prescribed herein which allows parking, entrance to, egress from and use of polling place facilities by handicapped and elderly voters.

Blend to a Common Level-the meeting of two or more surfaces so that there is no abrupt vertical change in any of the surfaces which could create a tripping hazard or divert the direction of the caster wheels on a wheelchair.

Circulation Route-a continuous path of travel from the curb or parking area to the polling place building, into and through the polling place building to the voting area and includes both horizontal and vertical travel.

Committee for Voting Accessibility-a committee appointed by the Commissioner of Elections and Registration composed of a representative of:

- a. Clerks of Court;
- b. Registrars of Voters;
- c. physically handicapped person;
- d. Attorney General;
- e. Secretary of State;
- f. State Board of Election Supervisors; and
- g. Police Jury Association.

Curb-the inside boundary of the street, driveway or parking lot.

Elderly-any person who is 65 years of age or older.

Exterior Circulation Route-that part of a circulation route from the curb or parking area to the point of entry to the polling place building.

Handicapped-any person who has a temporary or permanent physical disability.

Handicapped Parking-a place specially designated by the International Symbol for Accessibility and other markings with dimensions as specified in 105.A.1.b.ii.

Interior Circulation Route-that part of a circulation route from the point of entry to the polling place building through the polling place building to the voting area.

Passenger Loading Zone-a place specially provided outside of the vehicular traffic flow designed for the drop-off or pick-up of passengers from vehicles.

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HISTORICAL NOTE: Promulgated by the Department of Elections and Registration, Commissioner of Elections, LR 12:225 (April 1986).

§105. Guidelines for Accessibility

A. To be accessible to handicapped and elderly voters a polling place must have at least one circulation route which meets the following criteria:

1. Exterior Circulation Routes. There shall be at least one path of travel that shall have no steps or slope greater than 1:12 from the curb or parking area to an entrance of the polling place building and facilities. This route shall be as direct as site conditions allow.

a. Walks and Sidewalks

i. The minimum clear width of walks and sidewalks shall be 3'-0".

ii. Walks and sidewalks shall be of a continuing common surface, not interrupted by abrupt changes in level. Surfaces shall be firm and stable.

iii. Walks with gradients steeper than 1:20 shall be considered as ramps and conform to the requirements of §105.A.4. Ramps on walks shall not be steeper than 1:12.

iv. Walks with sustained gradients of no greater than 1:20 shall have level areas of at least 5'-0" in length at approximately 100'-0" intervals for the purpose of rest.

v. No rigid or hard object shall project into the space above a walk lower than 7'6" measured from the surface.

vi. Wherever walks and sidewalks intersect with other walks and sidewalks, parking lots, driveways, or streets, the surfaces shall blend to a common level to allow smooth passage of wheelchairs.

b. Parking

i. If parking areas are provided as part of the premises used as a polling place by voters, they shall have parking spaces specifically for the handicapped and an accessible path of travel to the polling place building. If general parking is not provided, every effort shall be made to set aside/reserve a temporary parking area for handicapped persons. If passenger loading zones are provided, they shall be accessible to the handicapped and be close to the aforementioned path of travel.

ii. If parking spaces for the handicapped are provided, they shall be marked to indicate that they are reserved for disabled drivers, using the International Symbol for Accessibility and should be of the appropriate dimensions (see Illustration D below) to allow the safe exit and entry of persons with disabilities from their vehicles. Such markings shall be placed on a pole or wall mounted and may be accompanied by markings painted on the surface.

2. Entrances, Doors and Doorways

a. At least one entrance (exit) to the polling place building and rooms shall be accessible. The accessible entrance to the polling place should be identified and marked using the International Symbol for Accessibility.

b. The floor on the inside and outside of each doorway shall preferably be level, but may slope no more than 1:50.

c. Entrances shall have a minimum clear width of 2'-8". This dimension shall be measured from the face of the door to the face of the door stop. Where double doors are used, at least one leaf shall allow a 2'-8" clear opening. (see Illustration B below)

d. The minimum space between two hinged doors in a series shall be the width of the door swinging into the space plus 4'0". Door swings of doors in series shall open in the same direction. Single doors hung in series shall be hinged at the same side.

e. At vestibules where doors are at right angles to each other, the dimension between the wall with the inswinging door and the facing wall shall be 6'-6" minimum. The minimum dimension in the other direction shall be 5'-0".

f. If the above specification cannot be satisfied, then one of the two doors shall be securely fastened in an open position during the hours when the polling place is open. (see Illustration C below).

g. The maximum height of thresholds at exterior and interior doors shall be 1/2". Where there are differences in floor level between rooms or spaces, the threshold shall be sloped at no more than 1:20.

h. Doors should be operable without movements requiring a tight grasp, complex hand movements, or the exertion of great force.

3. Interior Circulation Routes

a. There shall be an accessible and convenient path of travel from an accessible entrance to the voting area.

b. The voting area in the polling place building shall be served from an accessible entrance by at least one path of travel that does not have stairs or escalators.

c. The minimum clear width of halls, corridors, passage-ways and aisles shall be 3'-0".

d. No rigid or hard objects shall project into the space above a path of travel unless the dimension from the bottom edge of the object to the walk surface is at least 7'-6".

4. Ramps

a. If possible, alternative design solutions to ramps should be provided because of the substantial energy demands required to negotiate them by those in wheelchairs, plus the difficulties encountered by amputees and others with gait problems on ascent and descent. Ramps shall allow unrestricted traffic flow, and be free of hazards. All ramps constructed or temporarily installed in a polling place building shall meet the requirements of this standard.

b. Any part of a circulation path shall be considered a ramp if it has a slope that is greater than 1:20. The following table gives allowable slopes and maximum lengths.

Allowable Slope	Maximum Rise in a Single Ramp	Maximum Length of a Single Ramp Segment
1:12	2' - 6"	30' - 0"
1:16	2' - 6"	40' - 0"
1:20	2' - 6"	50' - 0"

c. All ramps in a rampway shall have identical slopes. Ramps of 1:8 may be used where existing physical constraints prevent the construction of more gradually sloped ramps.

d. All ramps with a rise greater than 9" shall have handrails on both sides. Handrails shall be continuous along the ramp segment.

e. Ramps shall have a minimum clear width of 3'-0".

f. Ramps shall level platforms at the bottom and the top of each run, at least 5'-0" long and be at least as wide as the ramp. Intermediate platforms shall be 5'-0" minimum between each ramp segment. See above Table for the maximum allowable lengths of ramp segments.

g. Intermediate turning platforms shall be a minimum of 5'-0" in length and 7'-0" wide to allow wheelchair maneuvering through 180 degrees, and at least 5'-0" long in both directions for turns of 90 degrees.

h. If doors open out onto the ramp platform, a level area at least 5'-0" deep and 5'-0" wide shall be provided.

i. The ramp surface shall be slip resistant.

j. No objection shall be hung from above or the sides that projects into a rampway lower than 7'-6" from the surface of the ramp or landing. Below this height, no object shall project into a rampway other than the handrails.

4. Elevators. If elevators are necessary to access the voting area, the elevators shall be on an accessible route and shall comply with the American National Standard Safety Code for Elevators, Dumb-waiters, Escalators and Moving Walks, ANSI A117.1 1980.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:1371.

HISTORICAL NOTE: Promulgated by the Department of Elections and Registration, Commissioner of Elections, LR 4:226 (April 1986).

§107. Determination of Accessibility

A. The parish governing authority shall survey every polling place facility to be used throughout the jurisdiction to determine whether such facilities are in compliance with the criteria set forth herein.

B. The survey shall be completed using the form prescribed by the Department of Elections and Registration (hereinafter referred to as D.E.R.). This completed survey form shall be retained by the parish governing authority for the period the site is used as a polling place. Copies of the survey shall be forwarded to the D.E.R. and shall be made available for public inspection upon request.

C. If an existing polling place fails to satisfy the criteria set forth herein and cannot be temporarily altered in a reasonable manner to satisfy the criteria, it will be deemed inaccessible and shall not be used unless an exemption is granted by the Committee for Voting Accessibility (hereinafter referred to as C.V.A.). In accordance with the provisions herein C.V.A. reserves the right to conduct on-site inspections of polling places.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:1371.

HISTORICAL NOTE: Promulgated by the Department of Elections and Registration, Commissioner of Elections, LR 12:227 (April 1986).

§109. Exemption Procedures

A. If all potential polling place facilities have been surveyed and no accessible facility is available and the facilities which are available cannot reasonably be made temporarily accessible, the parish governing authority shall request in writing to the C.V.A. in care of the D.E.R. that the existing polling place be exempt from the criteria set forth herein. A separate request for exemption shall be submitted for each polling place not in compliance. Nothing herein shall require the installation of temporary ramps to the exclusion of continued efforts to achieve compliance.

B. In order to be granted an exemption by the C.V.A., the written request shall:

1. identify the polling place for which the exemption is requested;
2. identify the provisions herein with which the existing site is not in compliance;
3. describe the efforts made to locate a site in compliance with these guidelines;
4. describe what continued efforts will be made to achieve compliance during the period that the exemption is in effect;
5. state the approximate length of time needed to meet the compliance requirements;
6. be accompanied with a copy of the completed survey form; and
7. bear the signature of an official of the parish governing authority.

C. In 1986, a request for an exemption for any currently established polling place shall be filed with the C.V.A. in care of the D.E.R. not later than July 1 of that year.

D. Within 10 working days following the receipt of a request for exemption, the C.V.A. will consider granting a certification of exemption to the parish governing authority for that polling place. Such exemption shall be valid for a period of one year from the date of issuance.

E. If one or more disabled persons contact the D.E.R. concerning a specific exemption, the D.E.R. shall work in cooperation with the parish governing authority and the disabled persons in locating an available accessible facility.

F. 1. If an accessible facility which is otherwise suitable can be leased as a polling place by the parish governing authority at any time during the period that the exemption is in effect, the D.E.R. shall be notified of the existence of this facility and the exemption shall be rescinded upon receipt of a completed survey form.

2. The parish governing authority shall notify the D.E.R. of any change in polling place facilities within 10 days of the establishment of that new polling place.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:1371.

HISTORICAL NOTE: Promulgated by the Department of Elections and Registration, Commissioner of Elections, LR 12:227 (April 1986).

§111. Emergency Provision

A. If an accessible polling place becomes unavailable during the period commencing on the date the qualifying period opens and ending on the date of the general election, these rules shall not apply.

B. Any alternate polling place not in compliance with these rules shall be considered temporary and cannot be used in the next ensuing election without an exemption from the C.V.A.

C. Not more than 30 days following the election, the Parish Governing Authority shall notify the C.V.A. in care of the D.E.R. in writing of the polling place change and describe the emergency which caused the alternate polling place to be used.

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HISTORICAL NOTE: Promulgated by the Department of Elections and Registration, Commissioner of Elections, LR 12:227 (April 1986).

§113. Responsibilities of the Louisiana Department of Elections and Registration (D.E.R.)

A. The Louisiana Department of Elections and Registration shall:

1. prepare a list of all polling places by election jurisdiction for which an exemption was granted. Such list shall contain the location of the polling place, the reason for the inaccessibility and the date the exemption was granted. Such list together with the petition for exemption shall be public record at the office of the D.E.R.;

2. within 10 working days following the receipt of a written notification from the United States Attorney General, or a person who is personally aggrieved, that an election jurisdiction is not in compliance with these rules, transmit a copy of the notification to the parish governing authority. Upon receipt of the notification, the parish governing authority shall

respond in writing to the D.E.R. within 10 days. Upon receipt of response the D.E.R. will submit, within 10 working days, the grievance and the response to the C.V.A. for final determination.

3. not later than September 1 of each even-numbered year, verify the list of exemptions with each election authority; and

4. not later than December 31 of each even-numbered year, report to the Federal Election Commission, in a manner to be determined by the commission, the number of accessible and inaccessible polling places throughout the state on the date of the preceding general federal election and the reason for any instance of inaccessibility.

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HISTORICAL NOTE Promulgated by the Department of Elections and Registration, Commissioner of Elections, LR 12:227 (April 1986).